

ATTORNEY'S DOCKET NO.: (PA1256US)DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled System and Method for Providing World-Wide Web-Based Survey Creation, Design Deployment, and Result Compilation and Tracking the specification of which (check one):

is attached hereto.

was filed on October 2, 2000

as U.S. Application No. 09/678,430

or PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Priority Claimed

<u>NONE</u> (Number)	<u>(Country)</u>	<u>(Day/Month/Year filed)</u>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year filed)</u>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

60/157,264  
(Application Number)

October 1, 1999  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>NONE</u> (Application Number)	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>
<u>(Application Number)</u>	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>

**POWER OF ATTORNEY:** I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John S. Ferrell, Reg. No. 34,593; J. Eppa Hite, Reg. No. 30,266;  
John D. Henkhaus, Reg. No. 42,656; Wendi R. Schepler, Reg. No. 43,091;  
David Lewis, Reg. No. 33,101; V. Randall Gard, Reg. No. 33,886  
Douglas E. Mackenzie, Reg. No. 38,955; Morgan E. Malino, Reg. No. 41,177;  
Mary A. Wiggins, Reg. No. 45,480; Franklyn C. Weiss, Reg. No. 23,041;  
Bradley W. Scheer, Reg. No. 47,059; Susan L. Yee, Reg. No. 41,388.

**SEND ALL CORRESPONDENCE TO:**

CARR & FERRELL LLP  
2225 East Bayshore Road, Suite 200  
Palo Alto, CA 94303  
TEL: (650) 812-3400  
FAX: (650) 812-3444

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Chris Greener

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of second inventor: David Brogan

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of third inventor: Lesley Kahn

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of fourth inventor: Ron Mester

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Full name of fifth inventor: Bud Werner

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of sixth inventor: Alexia Moore

Inventor's signature: Alexia Moore Dated: 06-20-2001

Residence: 160C Donahue St #200, Sausalito, CA Citizenship: USA

Post Office Address: Same as residence

Full name of seventh inventor: Jackie Sapir

Inventor's signature: J.S. Dated: 6-20-2001

Residence: 1915 GREEN ST #308 SAN FRANCISCO CA Citizenship: AUSTRALIAN

Post Office Address: SAME AS RESIDENCE

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Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of second inventor: David Brogan

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of third inventor: Lesley Kahn

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of fourth inventor: Ron Mester

Inventor's signature: Ron Mester Dated: 2-13-02

Residence: 38 Lakewood Circle Citizenship: U.S.A.

San Mateo, CA 94402

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Full name of sole or first inventor: Chris Greener

Inventor's signature: Chris Greener Dated: 6/20/01

Residence: 12 CHANNEL LANDING TOWER/CH. Citizenship: U.S.  
94920.

Post Office Address: same as residence

Full name of second inventor: David Brogan

Inventor's signature: David J. Brogan Dated: 6/20/01

Residence: 9 MATILDA AVE, KEL VALLEY, CA 94941 Citizenship: U.S.

Post Office Address: same as above

Full name of third inventor: Lesley Kahn

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of fourth inventor: Ron Mester

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of fifth inventor: Bud Werner

Inventor's signature: Bud Werner

Dated: 12/29/2001

Residence: 3 Meadow Ridge Drive

Citizenship: USA

Post Office Address: \_\_\_\_\_

Full name of sixth inventor: Alexia Moore

Inventor's signature: \_\_\_\_\_

Dated: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of seventh inventor: Jackie Sapir

Inventor's signature: \_\_\_\_\_

Dated: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of fifth inventor: Bud Werner \_\_\_\_\_

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of sixth inventor: Alexia Moore \_\_\_\_\_

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of seventh inventor: Jackie Sapir \_\_\_\_\_

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

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Post Office Address: \_\_\_\_\_

Full name of second inventor: David Brogan

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Full name of third inventor: Lesley Kahn

Inventor's signature: Kayla Dated: 3/1/02

Residence: 641 Main St. Sausalito, CA 94965 Citizenship: USA

Post Office Address: Same

Full name of fourth inventor: Ron Mester

Inventor's signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Residence: \_\_\_\_\_ Citizenship: \_\_\_\_\_

Form PTO-1595  
(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings → → →

RECORDATION FORM COVER SHEET  
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Chris Greener  
David Brogan  
Lesley Kahn  
Ron MesterAdditional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other

Execution Date(s): June 20, 2001, December 29, 2001,

February 13, 2002, March 1, 2002.

## 2. Name and address of receiving party(ies)

Name: MarketTools, Inc.

Internal Address: \_\_\_\_\_

Street Address: One Belvedere Place

City: Mill Valley State: CA Zip: 94941

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

09/678,430

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Carr &amp; Ferrell LLP

Internal Address: \_\_\_\_\_

Street Address: 2225 East Bayshore Road, Suite 200

City: Palo Alto State: CA Zip: 94303

6. Total number of applications and patents involved:  1

7. Total fee (37 CFR 3.41).....\$ 40

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

06-0600

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Breton G. Graham, Reg. No. 48, 149

Name of Person Signing



Signature

August 21, 2002

Date

Total number of pages including cover sheet, attachments, and documents:  16  8 & 0

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents &amp; Trademarks, Box Assignments

Washington, D.C. 20231

1. Bud Werner  
Alexia Moore  
Jackie Sapir

PA1256US**PATENT**

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  
     U.S. Provisional Application  
For:  U.S. Patent  
For:  PCT Application  
By:  Inventor(s) or  Present Owner

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNORS:**

Chris Greener  
FIRST NAMED INVENTOR

Address

12 CHANNEL CANDYNG RIBURON CA. 94920.

David Brogan  
SECOND NAMED INVENTOR

Address

9 MATILDA AVENUE

Address

HILL VALLEY, CA 94941

Lesley Kahn  
THIRD NAMED INVENTOR

Address

Ron Mester  
FOURTH NAMED INVENTOR

Address

Bud Werner  
FIFTH NAMED INVENTOR

Address

Alexia Moore   
SIXTH NAMED INVENTOR

160C Donahue St #200

Address

Sausalito, CA 94965

Jackie Sapir   
SEVENTH NAMED INVENTOR

1915 GREEN ST #305

Address

SAN FRANCISCO CA 94123

hereby sell, assign and transfer to

ASSIGNEE:

MarketTools, Inc.

ASSIGNEE

One Belvedere Place

2330 Marinship Way, Suite 300

Address

Mill Valley 41  
Sausalito, CA 94965

U.S.A.

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

the entire right, title and interest  
 an undivided \_\_\_\_\_ percent (\_\_\_\_\_) % interest  
for the United States and its territorial possessions

and in all foreign countries, including all rights to claim priority,  
in and to any and all improvements which are disclosed in the invention entitled:  
System and Method for Providing World-Wide Web-Based Survey Creation, Design  
Deployment, and Result Compilation and Tracking

Name of inventor(s) Chris Greener, et al.

and which is found in (37 C.F.R. § 3.21)

(a)  U.S. patent application executed on even date herewith  
(b)  U.S. patent application executed on \_\_\_\_\_  
(c)  U.S. provisional application naming the above inventor(s) for the above-entitled  
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Express mail label no.: \_\_\_\_\_  
Mailed: \_\_\_\_\_

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(e)  International application no. PCT/ \_\_\_\_\_ / \_\_\_\_\_

(f)  U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_

A change of address to which correspondence is to be sent regarding patent  
maintenance fees is being sent separately.

(g)  and any legal equivalent thereof in a foreign country, including the right to claim  
priority

and, in and to, all Letters Patent to be obtained for said invention by the above application  
or any continuation, division, renewal, or substitute thereof, and as to letters patent any  
reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been  
or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

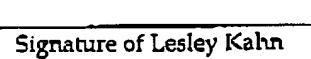
Date: 6/20/01.

  
Signature of Chris Greener

Date: 6/20/01

  
Signature of David Brogan

Date: \_\_\_\_\_

  
Signature of Lesley Kahn

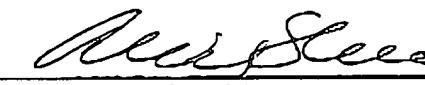
Date: \_\_\_\_\_

  
Signature of Ron Mester

Date: \_\_\_\_\_

  
Signature of Bud Werner

Date: 06-20-2001

  
Signature of Alexia Moore

Date: 6-20-2001

  
Signature of Jackie Sapir

PA1256US**PATENT**

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  
     U.S. Provisional Application  
For:  U.S. Patent  
For:  PCT Application  
By:  Inventor(s) or  Present Owner

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**ASSIGNORS:**

Chris Greener  
FIRST NAMED INVENTOR

Address

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David Brogan  
SECOND NAMED INVENTOR

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Lesley Kahn  
THIRD NAMED INVENTOR

Address

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Ron Mester  
FOURTH NAMED INVENTOR

38 Lakewood Circle

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San Mateo, CA 94402

Bud Werner  
FIFTH NAMED INVENTOR

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Alexia Moore  
SIXTH NAMED INVENTOR

Address

Jackie Sapir  
SEVENTH NAMED INVENTOR

Address

hereby sell, assign and transfer to

ASSIGNEE:

MarketTools, Inc.

ASSIGNEE

2330 Marinship Way, Suite 300

Address

Sausalito, CA 94965

U.S.A.

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

the entire right, title and interest  
 an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest  
for the United States and its territorial possessions

and in all foreign countries, including all rights to claim priority,  
in and to any and all improvements which are disclosed in the invention entitled:  
System and Method for Providing World-Wide Web-Based Survey Creation, Design  
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(a)  U.S. patent application executed on even date herewith  
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Express mail label no.: \_\_\_\_\_  
Mailed: \_\_\_\_\_

(d)  U.S. application no. 09/678,430  
filed on October 2, 2000  
(e)  International application no. PCT/ \_\_\_\_\_ / \_\_\_\_\_  
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A change of address to which correspondence is to be sent regarding patent  
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and, in and to, all Letters Patent to be obtained for said invention by the above application  
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Date: \_\_\_\_\_

Signature of Chris Greener

Date: \_\_\_\_\_

Signature of David Brogan

Date: \_\_\_\_\_

Signature of Lesley Kahn

Date: 2-13-02

Signature of Ron Mester

Date: \_\_\_\_\_

Signature of Bud Werner

Date: \_\_\_\_\_

Signature of Alexia Moore

Date: \_\_\_\_\_

Signature of Jackie Sapir

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Lesley Kahn  
THIRD NAMED INVENTOR

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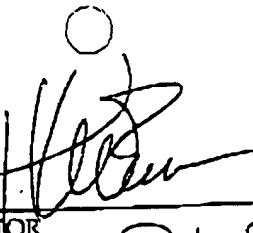
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Ron Mester  
FOURTH NAMED INVENTOR

Address

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Bud Werner  
FIFTH NAMED INVENTOR

Address

3 Meadow Ridge Dr

Corte Madera, CA 94925

Alexia Moore  
SIXTH NAMED INVENTOR

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Jackie Sapir  
SEVENTH NAMED INVENTOR

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Signature of Chris Greener

Date: \_\_\_\_\_

Signature of David Brogan

Date: \_\_\_\_\_

Signature of Lesley Kahn

Date: \_\_\_\_\_

Signature of Ron Mester

Date: 12/29/2001

Signature of Bud Werner

Date: \_\_\_\_\_

Signature of Alexia Moore

Date: \_\_\_\_\_

Signature of Jackie Sapir

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(e)  International application no. PCT/ \_\_\_\_\_ / \_\_\_\_\_  
(f)  U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_

A change of address to which correspondence is to be sent regarding patent  
maintenance fees is being sent separately.

(g)  and any legal equivalent thereof in a foreign country, including the right to claim  
priority

and, in and to, all Letters Patent to be obtained for said invention by the above application  
or any continuation, division, renewal, or substitute thereof, and as to letters patent any  
reissue or re-examination thereof:

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been  
or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

Date: \_\_\_\_\_

Signature of Chris Greener

Date: \_\_\_\_\_

Signature of David Brogan

Date: 3/1/02

Signature of Lesley Kahn

Date: \_\_\_\_\_

Signature of Ron Mester

Date: \_\_\_\_\_

Signature of Bud Werner

Date: \_\_\_\_\_

Signature of Alexia Moore

Date: \_\_\_\_\_

Signature of Jackie Sapir